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UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

Chapter 11

FN BUILDING L.L.C.,

Case No. 11-10266 (SHL)

Debtor.

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**NOTICE OF APPEARANCE AND DEMAND FOR SERVICE OF PAPERS
AND REQUEST TO BE ADDED TO MASTER SERVICE LIST**

PLEASE TAKE NOTICE that, the undersigned appears in the above-captioned case on behalf of E. Gilbert & Sons and Michielutti Bros., Inc., secured creditors and parties in interest (collectively, the "Secured Creditors"), and pursuant to Rules 2002 and 9010(b) of the Federal Rules of Bankruptcy Procedure and section 1109(b) of the Bankruptcy Code, demands that all notices given or required to be given and all papers served in this case be delivered to and served upon the persons identified below at the following address and further requests the persons below be added to the Master Service List:

Todtman, Nachamie, Spizz & Johns, P.C.
425 Park Avenue
New York, New York 10022
Tel. (212) 754-9400
Fax: (212) 754-6262
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PLEASE TAKE FURTHER NOTICE that, pursuant to section 1109(b) of the Bankruptcy Code, the foregoing demand includes not only the notices and papers referred to in the above-mentioned Bankruptcy Rules, but also includes, without limitation, all orders, applications, motions, petitions, pleadings, requests, complaints or demands, whether formal or informal, written or oral, transmitted or conveyed by mail delivery, telephone, facsimile or otherwise, in this case.

PLEASE TAKE FURTHER NOTICE that, this Notice of Appearance and any subsequent appearance, pleading, claim, or suit is not intended nor shall be deemed to waive the Secured Creditors': (i) rights to have final orders in non-core matters entered only after *de novo* review by a district court judge; (ii) rights to trial by jury in any proceedings so triable herein or in any case, controversy or proceeding related hereto; (iii) rights to have the reference withdrawn by the United States District Court in any matter subject to mandatory or discretionary withdrawal; or (iv) other rights, claims, actions, defenses, setoffs or recoupments to which the Secured Creditors are or may be entitled under agreements, at law, or in equity, all of which rights, claims, actions, defenses, setoffs, and recoupments expressly are hereby reserved.

Dated: New York, New York
February 11, 2011

TODTMAN, NACHAMIE, SPIZZ & JOHNS, P.C.
Attorneys for E. Gilbert & Sons and
Michielutti Bros., Inc.

By: /s/ Janice B. Grubin

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